

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		DATE: June 6, 2006 U.S. Application No. (if known): 10/7581883
INTERNATIONAL APPLICATION NO.: PCT/JP2004/018313	INTERNATIONAL FILING DATE: December 8, 2004	PRIORITY DATE CLAIMED: December 9, 2003
TITLE OF INVENTION: DEVICE AND METHOD OF CONTROLLING HYDRAULIC DRIVE OF CONSTRUCTION MACHINERY		
APPLICANT(S) FOR DO/EO/US: Koji OHIGASHI et al.		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 11. TO 20. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with the international search report, PTO/SB/08 and 5 references.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. ASSIGNEE NAME AND ADDRESS: KOMATSU LTD., Tokyo, Japan. Please publish the assignee data with the application.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: 11 sheets of Drawings.</p>		

U.S. APPLICATION NO. (if known)		INTERNATIONAL APPLICATION NO. PCT/JP2004/018313	DATE: June 6, 2006	
The following fees are submitted:		CALCULATIONS		PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic National Stage Fee		\$300	\$300.00	
22. <input checked="" type="checkbox"/> National Stage Examination Fee				
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100	\$200.00	
All other situations		\$200		
23. <input checked="" type="checkbox"/> National Stage Search Fee			\$400.00	
Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority		\$100		
International Search Report prepared and provided to the Office		\$400		
All other situations		\$500		
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$900.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
TOTAL	7-20 =		X \$ 50.00	
INDEPENDENT	2-3 =		X \$ 200.00	
Multiple dependent claims(s) (if applicable)			+ \$360.00	
TOTAL OF ABOVE CALCULATIONS =		\$900.00		
National Stage Application Size Fee-for each additional 50 sheets that exceeds 100 sheets \$ 250.00.				
Reduction by 1/2 for filing by small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				
SUBTOTAL =		\$900.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				
TOTAL NATIONAL FEE =		\$900.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$ 40.00		
TOTAL FEES ENCLOSED =		\$940.00	Amount to be: refunded charged	\$
a. <input checked="" type="checkbox"/>	A check in the amount of \$940.00 to cover the above fees is enclosed. (\$300.00 for basic national stage fee; \$400.00 for national stage search fee; \$200.00 for national stage examination fee and \$40.00 for assignment recordation fee).			
b. <input type="checkbox"/>	Please charge my Deposit Account No. 50-2866 in the amount of \$ _____ to cover the above fees.			
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2866.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.				
Send All Correspondence To:		WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 Connecticut Avenue NW Suite 700 Washington, DC 20036 CUSTOMER NO. 38834		
Typed or Printed Name: Scott M. Daniels		Reg. No.: 32,562		
Signature		Date: June 6, 2006		